

UNITED STATES DISTRICT COURT
FOR
DISTRICT OF MONTANA
Report on Offender Under Supervision

Name of Offender: William Michael Newman

Docket Number: 0977 4:06CR00043-001

Name of Sentencing Judicial Officer: THE HONORABLE SAM E. HADDON
UNITED STATES DISTRICT JUDGE

Reassigned 11/13/2015: THE HONORABLE DANA L. CHRISTENSEN
UNITED STATES DISTRICT JUDGE

Date of Original Sentence: 12/28/2006

Original Offense: 18:2252A.F; ACTIVITIES RELATING TO MATERIAL CONSTITUTING OR CONTAINING CHILD PORNOGRAPHY, 18:2252A.F; ACTIVITIES RELATING TO MATERIAL CONSTITUTING OR CONTAINING CHILD PORNOGRAPHY

Original Sentence: 115 months custody, 60 months supervised release

Date of Revocation: December 9, 2015

Revocation Sentence: 3 months Bureau of Prisons; 60 months Supervised Release

Date of Revocation: April 1, 2016

Revocation Sentence: 5 months Bureau of Prisons; 60 months Supervised Release

Date of Revocation: January 10, 2017

Revocation Sentence: 12 months Bureau of Prisons; 60 months Supervised Release

Date of Revocation: November 8, 2018

Revocation Sentence: 6 months Bureau of Prisons; 60 months Supervised Release

Type of Supervision: Supervised Release

Date Supervision Commenced: 06/07/2019

NON-COMPLIANCE SUMMARY

Background

On 12/28/2006, the defendant appeared for sentencing before THE HONORABLE SAM E. HADDON, UNITED STATES DISTRICT JUDGE, having pled guilty to the offenses of 18:2252A.F; ACTIVITIES RELATING TO MATERIAL CONSTITUTING OR CONTAINING CHILD PORNOGRAPHY, 18:2252A.F; ACTIVITIES RELATING TO MATERIAL CONSTITUTING OR CONTAINING CHILD PORNOGRAPHY. The offense involved the defendant using a peer to peer file sharing network to view child pornography. The defendant was originally sentenced to 115 months custody, followed by 60 months supervised release. The defendant began his original term of supervised release on 02/09/2015.

The defendant had a revocation hearing on 12/09/2015 for violations of possessing sexually explicit material and non-compliance with sex offender treatment. The defendant was sentenced to three months custody followed by 60 months supervised release. The defendant began his second term of supervised release on 02/12/2016.

Report on Offender Under Supervision

Name of Offender: William Michael Newman

Page 2

The defendant had a revocation hearing on 04/01/2016 for violations of possessing sexually explicit materials, possessing devices with access to the internet, non-compliance with sex offender treatment, and non-compliance with substance abuse testing. The defendant was sentenced to 5 months custody followed by 60 months supervised release. The defendant began his third term of supervised release on 08/08/2016.

The defendant had a revocation hearing on 01/10/2017 for violations of consuming alcohol and non-compliance with sex offender treatment. The defendant was sentenced to 12 months custody followed by 60 months supervised release. The defendant began the fourth term of supervised release on 01/05/2018.

On 11/8/2018, the defendant's supervision was revoked due to the possession of unapproved computers and the possession of sexually explicit material. The defendant was sentenced to 6 months custody followed by 60 months supervised release. The defendant began the current term of supervised release on 6/7/2019.

The probation officer believes the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
-------------------------	--------------------------------

1	Mandatory condition: You must not commit another federal, state, or local crime.
---	---

On 3/12/2021, the defendant was arrested for Driving Under the Influence of Alcohol, MCA 61-8-401(1)(a) ,[2nd]; and Driving a Motor Vehicle While Privilege to do so is Suspended or Revoked, MCA 61-5-212(1)(a)(i)[1]1. The case, TK-385-2021-1014, is pending in Flathead County Justice Court with an Omnibus Hearing set for 5/11/2021. The defendant admitted to the undersigned officer to driving while intoxicated.

If convicted of the Driving Under the Influence of Alcohol, the defendant could be sentenced up to 1 year in prison and a fine not to exceed \$2,000.

If convicted of the Driving a Motor Vehicle While Privilege to do so is Suspended or revoked, the defendant could be sentenced to 6 months custody or a fine no to exceed \$2,000.

2	Special condition: You must abstain from the consumption of alcohol and are prohibited from entering establishments where alcohol is the primary item of sale.
---	---

On 3/12/2021, the defendant provided a PBT to the Montana Highway Patrol which indicated he had a blood alcohol level of .181. The defendant admitted to the undersigned officer to consuming tequila on the night he was arrested.

Report on Offender Under Supervision

Name of Offender: William Michael Newman

Page 3

U.S. Probation Officer Action:

The defendant contacted the undersigned officer the moment he was released from Flathead County Jail and admitted to consuming alcohol and attempting to drive while intoxicated. The defendant's case is pending in Flathead County Justice Court. The defendant is enrolled in drug and alcohol testing with Compliance Monitoring Systems in Kalispell and is working on his sobriety with his current sex offender treatment provider. He will continue with random drug and alcohol testing, treatment, and random home visits by the United States Probation Office will be conducted to deter the defendant from consuming alcohol. The defendant understands any further violations will be reported to the Court. It is recommended the Court allow the defendant to continue his supervision with increased requirements.

Reviewed

By:

Derek Hart

Derek Hart
Supervising United States Probation
Officer
Date: 04/08/2021

Respectfully Submitted

By:

Evin Hansen

Evin Hansen
United States Probation Officer

Date: 04/08/2021

ORDER OF COURT

☐ Submit a Request for Modifying the Condition or Term of Supervision

☐ Submit a Request for Warrant or Summons

☒ Agrees with U.S. Probation Officer's recommendation

Dana L. Christensen

Dana L Christensen

United States District Judge

April 9, 2021

Date